

REMARKS/ARGUMENTS

Claims 1-2, 4-8 and 10-13 are pending herein. Claims 1 and 7 have been amended as supported by Fig. 2 of the present application, for example.

1. The rejection of claims 3 and 9 under §112, first paragraph are noted, but deemed moot in view of the cancellation of claims 3 and 9 (via the Amendment filed September 6, 2005).
2. The rejection of claims 1-13 under §112, second paragraph was withdrawn by the Examiner in the Advisory Action mailed October 3, 2005.
3. Claims 1, 2, 5, 6 and 13 were rejected under §102(b) over WO 99/22867 (WO '867), and claim 4 was rejected under §103(a) over WO '867 in view of Gamble and/or Hirota. To the extent these rejections may be applied against the amended claims, they are respectfully traversed.

Regarding claim 1, the Examiner asserted in the Advisory Action that WO '867 discloses, in Fig. 5, five linear injection modules, each with five units, shown above five row-shaped supports. The Examiner further asserted that each support is formed by rows of array areas.

As currently amended, claim 1 recites, among other things, a method of forming detection spots wherein a plurality of injection modules are provided, each injection module being equipped with a plurality of injection units arranged in a two-dimensional array. Each injection unit is adapted to jet spot-forming liquid containing a component for formation of the detection spots, and the spot-forming liquid is jetted simultaneously from the injection units of each injection module toward the surface of a respective support corresponding to the injection modules in order to simultaneously form detection spots on the surfaces of the supports.

Applicants respectfully submit that the five linear injection modules disclosed in Fig. 5 of WO '867 clearly do not contain injection units arranged in a two-dimensional array, as recited in claim 1. Therefore, WO '867 fails to disclose the

feature of using an injection module equipped with a plurality of injection units arranged in a two-dimensional array, as recited in claim 1. One advantage of using a two-dimensional array, as claimed, is the simultaneous jetting of more detection spots within a given area, as compared to the use of a linear injection module, as disclosed in WO '867. Since claims 2 and 4-6 depend directly from claim 1, those claims are also believed to be allowable over the applied art.

Regarding claim 13, the Examiner asserted in the Advisory Action that WO '867 discloses, in Fig. 5, a plurality of supports, each formed by a row of array areas.

Previously presented claim 13 recites, among other things, a method of forming detection spots wherein, as means for simultaneously forming detection spots in a plurality of regions on the surface of at least one support, a plurality of injection modules are provided, each injection module being equipped with a plurality of injection units. The spot-forming liquid is jetted simultaneously from the injection units of the respective injection modules toward the plurality of regions corresponding to the injection modules in order to simultaneously form detection spots in the plurality of regions on the surface of the at least one support.

Applicants respectfully submit that WO '867 clearly discloses a placement of one injection module covering multiple regions of a support. Relating the language of WO '867 to claim 13, it would appear that each array within the row of arrays forming a support would be equivalent to a region on the surface of a support. The injection module of WO '867 only forms one spot in each of the plural arrays at the same time, as indicated by the Examiner. Therefore, WO '867 fails to disclose a method of forming detection spots wherein as means for simultaneously forming detection spots in a plurality of regions on the surface of at least one support, a plurality of injection modules are provided, each injection module being equipped with a plurality of injection units, as recited in claim 13.

For at least the foregoing reasons, Applicants respectfully submit that claims 1, 2, 4-6 and 13 define patentable subject matter over WO '867. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

4. Claims 7, 8, 11 and 12 were rejected under §103(a) over WO '867 in view of Bass. To the extent that this rejection may be applied against the amended claims, it is respectfully traversed.

Regarding claim 7, the Examiner asserted in the Advisory Action that WO '867 discloses plural supports as formed by rows of array areas. It appears that the Examiner is contending that each of the arrays 62-70 is a region for the purpose of this rejection. Accordingly, WO '867 discloses a structure 76 containing a plurality of injection modules 38, 40 that are arranged such that each injection module is jetted to form one spot in each array 62-70 located on a substrate 61.

Amended claim 7 recites, among other things, a method of forming detection spots wherein a plurality of injection modules are provided, each injection module being equipped with a plurality of injection units arranged in a two-dimensional array, with each injection unit being adapted to jet spot forming liquid containing a component for formation of the detection spots. The spot-forming liquid is jetted simultaneously from the injection units of each injection module toward the surface of a single support which faces the injection modules.

Applicants respectfully submit that, based on the Examiner's interpretation, WO '867 fails to disclose the simultaneous jetting of liquid from the plurality of injection units of the respective injection modules toward the plurality of regions corresponding to the injection modules in order to simultaneously form detection spots in the plurality of regions corresponding to the injection modules, as recited in claim 13. Applicants respectfully submit that Bass also fails to disclose at least these features that are missing from WO '867. Since claims 8, 11 and 12 depend directly from claim 7, those claims are also believed to be allowable over the applied art. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

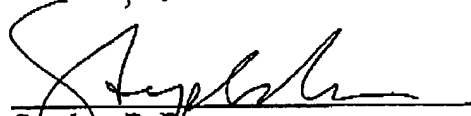
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

October 24, 2005

Date


Stephen P. Burr
Reg. No. 32,970

SPB/TE/tp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320